

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

WATCHTOWER BIBLE TRACT SOCIETY OF NEW
YORK, INC. , et al.,

Plaintiffs,

v.

MUNICIPALITY OF SANT A ISABEL, et al.,

Defendants.

CIVIL NO. 04-1452 (GAG)

**SPECIAL APPEARANCE OF NON-PARTY HON. EDNA C. BONNET VAZQUEZ, PROPERTY
REGISTRAR, CAGUAS SECTION II, TO INFORM THIS COURT OF THE ISSUANCE OF THREE
(3) RESGISTRY CERTIFICATIONS**

TO THE HONORABLE COURT:

COMES NOW non-party Hon. Edna C. Bonnet Vázquez, Property Registrar, Caguas Section II, without submitting to this Court's jurisdiction, through the undersigned attorney, and very respectfully **STATES** and **PRAYS** as follows:

1. Non-party Hon. Edna C. Bonnet Vázquez, Property Registrar, Caguas Section II, informs this Honorable Court that three (3) registrar certifications ("certificaciones registrales") were prepared and available for Ciudad Jardín I to pick-up after submittal by it in original an amended registrar certification's request for land parcel # 13140, and two registrar certification's requests for land parcels #18247 and #18248 with the corresponding payment vouchers issued by the Department of Treasury for the corresponding fees. The above was suggested and recommended to Ciudad Jardín I by appearing non-party after reviewing the sole certification requested for land parcel #13140. Given Hon. Edna C. Bonnet Vázquez full understanding of the issue before this Honorable Court and after reviewing this Court 's memorandum Opinion and Order, she was

convinced that the order as it was issued in combination with the sole registrar certification for land parcel #13140 requested will not be useful in any way to the Court or the parties. This Court need to study the three of them to have a better factual framework for the resolution of the issue before it.

2. Non-party Hon. Edna C. Bonnet Vázquez, Property Registrar, feels compelled to respond as to this Court's statement regarding her failure to cooperate which in the eyes of the Court has obstructed the course of this litigation. Appearing non-party vey respectfully disagree with this Court's impression.

3. On April 21, 2015, appearing non-party Hon. Edna C. Bonnet Vázquez was served with a subpoena by defendant Ciudad Jardín Gurabo I requesting "Copy of the master deed of the Ciudad Jardín Gurabo urbanization complex and any and all mortgage deeds related to the aforementioned urbanization complex (not individual property mortgage deeds)." Appearing non-party objected and explained fully the reasons for her objection to Counsel for Ciudad Jardín I. (See, Dkt. 1603). He was informed that there is no such thing as a master deed. It does not exist. Consequently, it was not searchable. It was also informed that projects like Ciudad Jardín I Gurabo consists of multiple deeds. Simply put, this entails multiple purchases, assemblages which would result in new land parcels, segregations, modifications and so on. Moreover, the property registry does not keep copies of any of the deeds and documents submitted for its consideration and registration. After the property registry finishes with the documents presented, it notifies the interested party to pick-up the same within the next 30 days with the admonition that it will be destroyed afterwards. Hence, it is burdensome to request the property registry to go through the exercise to make a search of what does not exist, that is a "master deed," and to review all documents presented to the property registrar to ascertain all pending documents for consideration

regarding Ciudad Jardin I have been properly and responsibly identified although with no certainty if any of them is of significance as to the issue before the Court.

4. Nonetheless, appearing non-party in the spirit of cooperation and to assist this Honorable Court in the task at hand when she got notice of the subpoena, Hon. Edna C. Bonnet Vázquez gave some recommendations or suggestions to Ciudad Jardín I Gurabo's counsel. He was even apprised of what it could be done. It was explained to him that a registrar certification could be prepared containing the "instancias del registro" that would reveal if the streets were transferred to the municipality instead of requesting something that does not exist. Furthermore, he was even provided with the names of notary publics that employees working for a long time in the property registrar Caguas II somehow associated with Ciudad Jardin I Gurabo's project. This was done to assist him to get the details that he needed to provide to the property registrar for it be able to start searching and to issue the corresponding property certifications.

5. Moreover, even appearing non-party in an effort to assist and to cooperate provided by email the form to be submitted plus informed Ciudad Jardin I Gurabo to accompany it with a letter requesting the issuance in an expedited manner of the registry certifications and the justification. She also informed that she will give priority to the request. However, she never received the form provided with the details of any land parcel, the letter and the payment voucher.

6. Appearing non-party did not hear again from Ciudad Jardín I Gurabo until this past Thursday August 20, 2015. After the receipt of the request for registrar certification of land parcel #13140, appearing non-party through the undersigned contacted him and requested from him to amend the certificate's request for land parcel #13140, and two submit to separate requests for registrar certification regarding land parcel # 18247 and #18248 for the reasons above stated.

7. Contrary to this Court's view, non-party Hon. Edna C. Bonnet Vázquez, Property Registrar, Caguas II Section, has been cooperative at all times in giving suggestions and

recommendations to defendant Ciudad Jardín I Gurabo for the resolution of the issue before the Court. It is not for the appearing non-party to issue an opinion as to whether the streets of Ciudad Jardín I Gurabo are private. However, all suggestions and recommendations provided were with the intention to assist defendant Ciudad Jardín I Gurabo in his endeavor-without taking any side-to get this Court in a position from which it would be able to issue an opinion as of whether in light of the “instancias del registro” at the present time the streets of Ciudad Jardín I are private or not.

WHEREFORE, non-party Hon. Edna C. Bonnet Vázquez, Property Registrar, Caguas Section II, respectfully requests that this Court take notice of all the above.

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all participants and attorneys of record.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, August 24, 2015.

CÉSAR R. MIRANDA RODRÍGUEZ
Secretary of Justice

MARTA ELISA GONZÁLEZ Y.
Deputy Secretary of Justice
In Charge of Litigation

S/WANDYMAR BURGOS-VARGAS
WANDYMAR BURGOS-VARGAS
U.S.D.C.-PR Bar No. 223502
Director Federal Litigation Division and Bankruptcy
DEPARTMENT OF JUSTICE
OF THE COMMONWEALTH OF PUERTO RICO
P.O. Box 9020192
San Juan, PR 00902-0192
Tel. (787) 721-2940 Exts. 2647, 2650, 2606, 2624.
Fax. (787) 723-9188
wburgos@justicia.gobierno.pr